UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,540	03/26/2001	Yoshiyasu Nakashima	1466.1035	9495

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ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 10/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/816,540	NAKASHIMA ET AL.
	Examiner	Art Unit	
	Jeffrey D. Popham	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 August 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 16-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 16-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Remarks

Claims 1-6 and 16-24 are pending.

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

8/23/2006 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claims 1 and 16 have been considered but

are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 16, 23, and 24 are rejected under 35 U.S.C. 102(e) as being

anticipated by Strub (U.S. Patent 6,825,875).

Regarding Claim 1,

Strub discloses a data accumulation system comprising:

A data output device for outputting data required by a user (Column

11, line 32 to Column 12, line 52; and Figure 2, element 202);

A data storage device including a storing portion for storing a part

of data imparted from the data output device (Column 11, line 32 to

Column 12, line 52; and Figure 2, element 203); and

A data checking terminal that is a portable terminal capable of

wireless communication with the data storage device (Column 11, line 32

to Column 12, line 52; Column 47, lines 33-48; and Figure 2, element

204), the data checking terminal

Having a display for displaying data imparted from the data output

device to the data storage device so that a user can check whether or not

the data are worth storing by viewing the displayed data on the display

(Column 52, lines 44-61; Column 58, line 61 to Column 59, line 18; and

Column 80, line 65 to Column 81, line 14); and

Allowing the user to input a command to the data checking terminal

after viewing the displayed data on the display, the command indicating

whether the data output by the data output device is to be stored by the

data storage device (Column 51, line 67 to Column 52 line 61; and

Column 80, line 65 to Column 81, line 14); wherein

The data storage device stores or does not store the data output by

the data output device in accordance with the command input by the user

to the data checking terminal (Column 51, line 67 to Column 52 line 61;

and Column 80, line 65 to Column 81, line 14); and

The data imparted from the data output device to the data storage

device and displayed on the display of the data checking terminal is image

data or text data (Column 51, line 67 to Column 52 line 61; and Column

80, line 65 to Column 81, line 14).

Regarding Claim 16,

Strub discloses a data accumulation system comprising:

A data output device outputting image or text data (Column 11, line

32 to Column 12, line 52; and Figure 2, element 202);

A data storage device receiving the data output from the data

output device (Column 11, line 32 to Column 12, line 52; and Figure 2,

element 203); and

A portable terminal (Column 11, line 32 to Column 12, line 52; and

Figure 2, element 204)

Wirelessly communicating with the data storage device to cause

the portable terminal to display, to a user of the portable terminal, the data

output from the data output device and received by the data storage

device (Column 47, lines 33-48; Column 58, line 61 to Column 59, line 18;

and Column 80, line 65 to Column 81, line 14);

Wirelessly communicating with the data storage device to allow the

user to input a command to the portable terminal indicating whether the

data output by the data output device and received by the data storage

device should be stored in the data storage device, in accordance with a

decision by the user after viewing the data displayed by the portable

terminal (Column 47, lines 33-48; Column 51, line 67 to Column 52 line

61; and Column 80, line 65 to Column 81, line 14); and

Wirelessly communicating with the data storage device to transmit

the inputted command from the portable terminal to the data storage

device to cause the data storage device to store the data output by the

data output device and received by the data storage device in accordance

with the transmitted command (Column 47, lines 33-48; Column 51, line

67 to Column 52 line 61; and Column 80, line 65 to Column 81, line 14).

Regarding Claim 23,

Claim 23 is a system claim that corresponds to system claim 16

and is rejected for the same reasons.

Regarding Claim 24,

Claim 24 is a method claim that corresponds to system claim 16

and is rejected for the same reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-3, 5, 6, 16, and 21-24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Treyz (U.S. Patent 6,526,335) in view of Kolls (U.S. Patent

6,856,820).

Regarding Claim 1,

Treyz discloses a data accumulation system comprising:

A data output device for outputting data required by a user (Column

44, line 57 to Column 45, line 8);

A data storage device including a storing portion for storing a part

of data imparted from the data output device (Column 44, line 57 to

Column 45, line 8); and

A data checking terminal that is a portable terminal capable of

wireless communication with the data storage device (Column 22, lines

35-45; and Column 44, line 57 to Column 45, line 8), the data checking

terminal

Having a display for displaying data imparted from the data output

device to the data storage device (Column 20, line 62 to Column 21, line

6; and Column 22, lines 10-45) so that a user can check whether or not

the data are worth storing by viewing the displayed data on the display

(Column 45, line 5 to Column 46, line 29; Column 53, line 60 to Column

54, line 9; Column 72, lines 10-32; Figures 50, 63, and 78); and

Allowing the user to input a command to the data checking terminal

after viewing the displayed data on the display, the command indicating

whether the data output by the data output device is to be stored by the

data storage device (Column 45, line 5 to Column 46, line 29; Column 53,

line 60 to Column 54, line 9; Column 70, lines 30-50; Figures 50, 63, and

78); wherein

The data storage device stores or does not store the data output by

the data output device in accordance with the command input by the user

to the data checking terminal (Column 45, line 5 to Column 46, line 29;

Column 53, line 60 to Column 54, line 9; Column 70, lines 30-50; Figures

50, 63, and 78); and

The data imparted from the data output device to the data storage

device and displayed on the display of the data checking terminal is image

data or text data (Column 45, line 5 to Column 46, line 29; Column 53, line

60 to Column 54, line 9; Column 70, lines 30-50; Figures 50, 63, and 78);

But may not disclose that the data checking terminal is a portable

device.

Kolls, however, discloses that the data checking terminal is a

portable device (Column 8, line 56 to Column 9, line 62); that the data

displayed on the data checking terminal is image data or text data

(Column 8, line 56 to Column 9, line 62; and Column 40, line 37 to Column

41, line 12); and that the user checks whether or not the data are worth

storing by viewing the displayed data (Column 8, line 56 to Column 9, line

62; and Column 40, line 37 to Column 41, line 12). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention

to incorporate the portable data checking terminal of Kolls into the data

accumulation system of Treyz in order to make it easier for the user to

interact with the system than interacting directly with the automobile

computer, or in order to allow the user to use a single portable device that

can access the computer either directly or via a network (such as the

Internet).

Regarding Claim 2,

Treyz as modified by Kolls discloses the system of claim 1, in

addition, Treyz discloses that the data checking terminal automatically

performs filtering of data to be stored (Column 59, lines 3-19).

Regarding Claim 3,

Treyz as modified by Kolls discloses the system of claim 1, in

addition, Treyz discloses that the data checking terminal processes data

to be stored out of the imparted data and transfers the processed data

back to the data storage device (Column 45, line 5 to Column 46, line 29;

Column 53, line 60 to Column 54, line 9; Figures 50, 63, and 78); and

Kolls discloses that the data checking terminal processes data to be

stored out of the imparted data and transfers the processed data back to

the data storage device (Column 8, line 56 to Column 9, line 62; and

Column 40, line 37 to Column 41, line 12).

Regarding Claim 5,

Treyz as modified by Kolls discloses the system of claim 1, in

addition, Treyz discloses that the data output device is a POS terminal

(Column 44, line 57 to Column 45, line 8).

Regarding Claim 6,

Treyz as modified by Kolls discloses the system of claim 1, in

addition, Treyz discloses that the data output device is an ATM terminal

(Column 46, line 50 to Column 47, line 9).

Regarding Claim 16,

Treyz discloses a data accumulation system comprising:

A data output device outputting image or text data (Column 44, line

57 to Column 45, line 8);

A data storage device receiving the data output from the data

output device (Column 44, line 57 to Column 45, line 8); and

A portable terminal (Column 22, lines 35-45; and Column 44, line

57 to Column 45, line 8)

Wirelessly communicating with the data storage device to cause

the portable terminal to display, to a user of the portable terminal, the data

output from the data output device and received by the data storage

device (Column 20, line 62 to Column 21, line 6; and Column 22, lines 10-

45);

Wirelessly communicating with the data storage device to allow the

user to input a command to the portable terminal indicating whether the

data output by the data output device and received by the data storage

device should be stored in the data storage device, in accordance with a

decision by the user after viewing the data displayed by the portable

terminal (Column 45, line 5 to Column 46, line 29; Column 53, line 60 to

Column 54, line 9; Column 72, lines 10-32; Figures 50, 63, and 78); and

Wirelessly communicating with the data storage device to transmit

the inputted command from the portable terminal to the data storage

device to cause the data storage device to store the data output by the

data output device and received by the data storage device in accordance

with the transmitted command (Column 45, line 5 to Column 46, line 29;

Column 53, line 60 to Column 54, line 9; Column 70, lines 30-50; Figures

50, 63, and 78);

But may not disclose that the data checking terminal is a portable

device.

Kolls, however, discloses that the data checking terminal is a

portable device (Column 8, line 56 to Column 9, line 62); that the data

displayed on the data checking terminal is image data or text data

(Column 8, line 56 to Column 9, line 62; and Column 40, line 37 to Column 41, line 12); and that the user checks whether or not the data are worth storing by viewing the displayed data (Column 8, line 56 to Column 9, line 62; and Column 40, line 37 to Column 41, line 12). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the portable data checking terminal of Kolls into the data accumulation system of Treyz in order to make it easier for the user to interact with the system than interacting directly with the automobile computer, or in order to allow the user to use a single portable device that can access the computer either directly or via a network (such as the Internet).

Regarding Claim 23,

Claim 23 is a system claim that corresponds to system claim 16 and is rejected for the same reasons.

Regarding Claim 24,

Claim 24 is a method claim that corresponds to system claim 16 and is rejected for the same reasons.

Regarding Claim 21,

Treyz as modified by Kolls discloses the system of claim 16, in addition, Treyz discloses that the data output device is a POS terminal (Column 44, line 57 to Column 45, line 8).

Regarding Claim 22,

Treyz as modified by Kolls discloses the system of claim 16, in

addition, Treyz discloses that the data output device is an ATM terminal

(Column 46, line 50 to Column 47, line 9).

5.   Claims 4 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Treyz in view of Kolls, further in view of Ong (U.S. Patent 5,952,994).

Regarding Claim 4,

Treyz as modified by Kolls does not explicitly disclose that the data

imparted from the data output device to the data storage device is image

data and the data checking terminal generates a thumbnail image of the

image data to display the thumbnail image on the display.

Ong, however, discloses that the data imparted from the data

output device to the data storage device is image data and the data

checking terminal generates a thumbnail image of the image data to

display the thumbnail image on the display (Column 2, lines 8-29). It

would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to incorporate the image scaling method of Ong into

the data accumulation system of Treyz as modified by Kolls in order to

provide a cost effective and fast image scaling method such that a data

checking terminal with a small display can scale and view the information

(image in this case) in an efficient manner.

Regarding Claim 20,

Treyz as modified by Kolls does not explicitly disclose that the data

output from the data output device is image data, and the portable

terminal generates and displays to the user a thumbnail image of the

image data.

Ong, however, discloses that the data output from the data output

device is image data, and the portable terminal generates and displays to

the user a thumbnail image of the image data (Column 2, lines 8-29). It

would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to incorporate the image scaling method of Ong into

the data accumulation system of Treyz as modified by Kolls in order to

provide a cost effective and fast image scaling method such that a data

checking terminal with a small display can scale and view the information

(image in this case) in an efficient manner.

6.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Treyz in view of Kolls, further in view of Menezes (Menezes, "Portable pen scans and

stores text without a PC", *Computing Canada*, 6/25/1999, pp. 16).

Regarding Claim 17,

Treyz as modified by Kolls discloses the system of claim 16, in

addition, Treyz discloses that the data output device is a scanner (Column

13, line 58 to Column 14, line 2), but does not disclose that the scanner is

a pen scanner.

Menezes, however, discloses that the scanner is a pen scanner

(Page 16). It would have been obvious to one of ordinary skill in the art at

the time of applicant's invention to incorporate the pen scanner of

Menezes into the data accumulation system of Treyz as modified by Kolls

in order to allow the system to scan documents line by line, incorporating

abilities of OCR (optical character recognition), and translation

capabilities, so that a user can understand a document even if they do not

speak the language that the document is written in.

Regarding Claim 18,

Treyz as modified by Kolls discloses the system of claim 16, in

addition, Treyz discloses that the data output device is a scanner (Column

13, line 58 to Column 14, line 2) and that the portable terminal is a PDA

(Column 10, lines 22-34); and Kolls discloses that the portable terminal is

a PDA (Column 8, line 56 to Column 9, line 62), but does not disclose that

the scanner is a pen scanner.

Menezes, however, discloses that the scanner is a pen scanner

(Page 16). It would have been obvious to one of ordinary skill in the art at

the time of applicant's invention to incorporate the pen scanner of

Menezes into the data accumulation system of Treyz as modified by Kolls

in order to allow the system to scan documents line by line, incorporating

abilities of OCR (optical character recognition), and translation

capabilities, so that a user can understand a document even if they do not

speak the language that the document is written in.

Regarding Claim 19,

  Treyz as modified by Kolls discloses the system of claim 16, in

addition, Treyz discloses that the data output device is a scanner (Column

13, line 58 to Column 14, line 2), the portable terminal is a PDA (Column

10, lines 22-34), and the data storage device is inside a notebook

computer (Column 10, lines 35-38); and Kolls discloses that the portable

terminal is a PDA (Column 8, line 56 to Column 9, line 62), but does not

disclose that the scanner is a pen scanner.

  Menezes, however, discloses that the scanner is a pen scanner

(Page 16). It would have been obvious to one of ordinary skill in the art at

the time of applicant's invention to incorporate the pen scanner of

Menezes into the data accumulation system of Treyz as modified by Kolls

in order to allow the system to scan documents line by line, incorporating

abilities of OCR (optical character recognition), and translation

capabilities, so that a user can understand a document even if they do not

speak the language that the document is written in.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey D Popham
Examiner
Art Unit 2137

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER